

**CALENDAR ITEM  
C65**

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04/23/15  
PRC 8483.1  
J. Sampson

**GENERAL LEASE – RECREATIONAL USE**

**APPLICANT:**

Katherine G. Dana Osterloh

**AREA, LAND TYPE, AND LOCATION:**

Sovereign land in Tomales Bay, adjacent to 12916 Sir Francis Drake Boulevard, near Inverness, Marin County.

**AUTHORIZED USE:**

Use and maintenance of an existing pier.

**LEASE TERM:**

10 years, beginning September 9, 2013.

**CONSIDERATION:**

\$125 per year, with an annual Consumer Price Index adjustment.

**SPECIFIC LEASE PROVISIONS:**

Liability insurance in an amount of no less than \$1,000,000 per occurrence.

**OTHER PERTINENT INFORMATION:**

1. Applicant owns the upland adjoining the lease premises.
2. On September 9, 2003, the Commission authorized issuance of Lease No. PRC 8483.1, a Recreational Pier Lease, to Charles H. Dana, Trustee of the Dana Trust under declaration dated June 3, 1985, and Charles H. Dana Jr. and Katherine G. Dana Osterloh for a period of 10 years, for use and maintenance of an existing pier. The lease expired on September 8, 2013. In 2014, Charles H. Dana, Jr. passed away and the upland was deeded to Katherine G. Dana Osterloh. The Applicant is now applying for a new lease.
3. The staff recommends that the Commission find that this activity is exempt from the requirements of the California Environmental Quality Act (CEQA)

CALENDAR ITEM NO. **C65** (CONT'D)

as a categorically exempt project. The project is exempt under Class 1, Existing Facilities; California Code of Regulations, Title 2, section 2905, subdivision (a)(2).

Authority: Public Resources Code section 21084 and California Code of Regulations, Title 14, section 15300 and California Code of Regulations, Title 2, section 2905.

4. This activity involves lands identified as possessing significant environmental values pursuant to Public Resources Code section 6370 et seq., but such activity will not affect those significant lands. Based upon the staff's consultation with the persons nominating such lands and through the CEQA review process, it is the staff's opinion that the project, as proposed, is consistent with its use classification.

**EXHIBITS:**

- A. Land Description
- B. Site and Location Map

**RECOMMENDED ACTION:**

It is recommended that the Commission:

**CEQA FINDING:**

Find that the activity is exempt from the requirements of CEQA pursuant to California Code of Regulations, Title 14, section 15061 as a categorically exempt project, Class 1, Existing Facilities; California Code of Regulations, Title 2, section 2905, subdivision (a)(2).

**SIGNIFICANT LANDS INVENTORY FINDING:**

Find that this activity is consistent with the use classification designated by the Commission for the land pursuant to Public Resources Code section 6370 et seq.

**AUTHORIZATION:**

Authorize issuance of a General Lease – Recreational Use to Katherine G. Dana Osterloh beginning September 9, 2013, for a term of 10 years, for the use and maintenance of an existing pier, as described in Exhibit A and shown on Exhibit B (for reference purposes only) attached and by this reference made a part hereof; annual rent in the amount of \$125 with an annual Consumer Price Index adjustment; and liability insurance in an amount no less than \$1,000,000 per occurrence.

## **EXHIBIT A**

**PRC 8483.1**

### **LAND DESCRIPTION**

A strip of submerged land, six (6) feet in width, situated in the bed of Tomales Bay, City of Inverness, Marin County, State of California, the center line of which is more particularly described as follows:

BEGINNING at the point that bears South 85° 04' 03" East 260.15 feet from the  $\frac{3}{4}$  inch iron pipe with plastic plug stamped LS 6649 and also being the southeasterly terminus of that certain course shown as South 35° 24' East 91.34 feet on that certain Record of Survey, filed on June 10, 2002 in Book 2002 of Maps at Page 118 Marin County Recorder's Office, thence North 43° 16' 46" East 210.00 feet to the POINT OF TERMINUS of said center line.

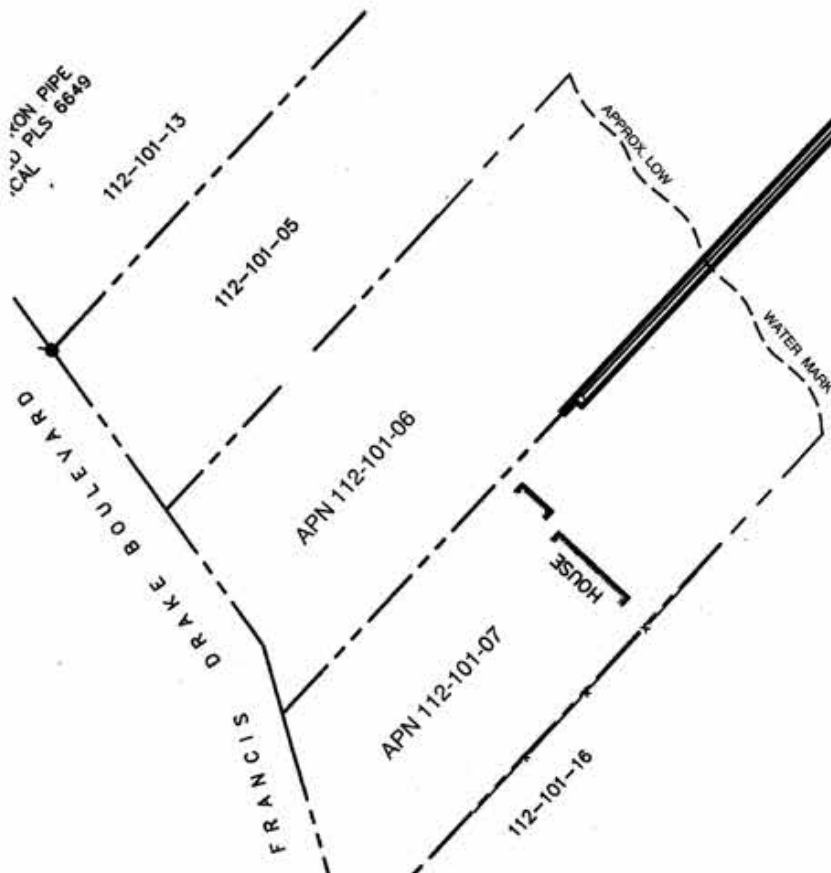
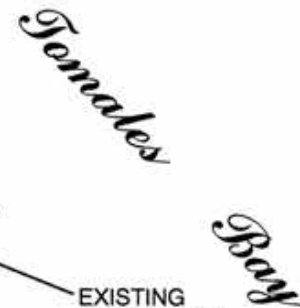
The sidelines of said strip shall be lengthened or shortened so as to begin and terminate at the low water mark of said Tomales Bay and line perpendicular to the described center line.

### **END OF DESCRIPTION**

Prepared 06/17/14 by the California State Lands Commission Boundary Unit

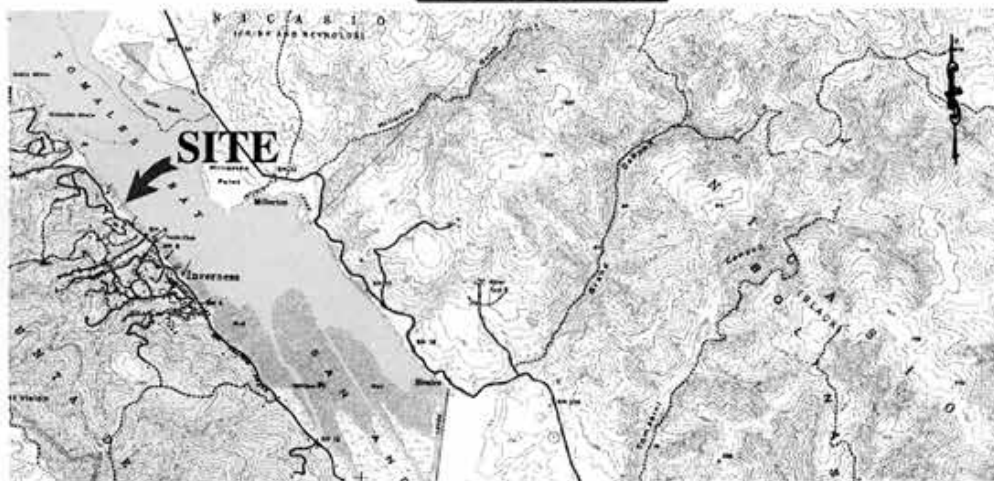


## SITE



12916 SIR FRANCIS DRAKE BLVD., INVERNESS

## LOCATION



This Exhibit is solely for purposes of generally defining the lease premises, is based on unverified information provided by the Lessee or other parties and is not intended to be, nor shall it be construed as, a waiver or limitation of any State interest in the subject or any other property.

## Exhibit B

PRC 8483.1  
OSTERLOH  
APN 112-101-06 & 07  
GENERAL LEASE-  
RECREATIONAL USE  
MARIN COUNTY



TS 06/16/14